

RODNEY J. JACOB, ESQ.
DANIEL M. BENJAMIN, ESQ.
CALVO & CLARK, LLP
Attorneys at Law
655 South Marine Corps Drive, Suite 202
Tamuning, Guam 96913
Telephone: (671) 646-9355
Facsimile: (671) 646-9403

Attorneys for Defendant
FUJITSU LIMITED

FILED
DISTRICT COURT OF GUAM
DEC 18 2006 *AD*
MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF GUAM

**NANYA TECHNOLOGY CORP., NANYA
TECHNOLOGY CORP.,**

Plaintiffs,

-v-

**FUJITSU LIMITED, FUJITSU
MICROELECTRONICS AMERICA, INC.,**

Defendants.

CIVIL CASE NO. 06-CV-00025

**FUJITSU LIMITED'S MOTION FOR
LEAVE TO FILE PORTABLE
DOCUMENT FORMAT ("PDF") AND
FACSIMILE COPIES PENDING
RECEIPT OF ORIGINAL**

[NO ORAL ARGUMENT REQUESTED]

NOW COMES Defendant Fujitsu Limited¹ ("Fujitsu") and respectfully moves this Honorable Court for leave to file herewith PDF and/or facsimile copies of the following documents pending receipt of the originals:

- 1) Shigeru Kitano's Declaration in Support of Fujitsu Limited's
Motion To Dismiss Or Transfer To The Northern District Of
California And For A More Definite Statement**

¹ Fujitsu has filed an objection to an ex parte Order regarding the means of service of process upon it and is filing herewith its motion under Fed. R. Civ. Proc. 12(b). This procedural motion is necessary to that 12(b) motion, and Fujitsu does not in any way consent to service or personal jurisdiction over it in this matter.

2) **Christopher E. Chalsen's Declaration in Support of Fujitsu Limited's Motion To Dismiss Or Transfer To The Northern District Of California And For A More Definite Statement**

This motion is made pursuant to GR 5.1(a) of the Local Rules of Practice for the District Court of Guam. Fujitsu seeks leave to file the copies pending receipt of the originals on the ground that the signatories are not located on Guam, and it was not possible in the time available to transmit the originals to Guam for filing. The original documents are being sent to counsel, and will be filed with the Court upon receipt. Pending receipt of the originals, Fujitsu therefore requests leave to file the pdf and/or facsimile copies, which are being filed herewith.

Respectfully submitted this 18th day of December, 2006

CALVO & CLARK, LLP
Attorneys at Law
Attorneys for Defendant
Fujitsu Limited

By: 

Daniel M. Benjamin

Of Counsel

CHRISTOPHER E. CHALSEN, ESQ.
MICHAEL M. MURRAY, ESQ.
LAWRENCE T. KASS, ESQ.
MILBANK, TWEED, HADLEY & MCCLOY LLP
1 Chase Manhattan Plaza
New York, New York 10005
Telephone: (212) 530-5000
Facsimile: (212) 530-5219